

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	16 December 1999
Name of applicant/court:	The District Court at Christchurch
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Untitled
Other Known Titles:	DIA Exhibit #26
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Printout
Country of Origin:	Not Applicable
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Unrestricted.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The untitled computer printout known as *DIA Exhibit #26* is classified as:
Unrestricted.

The computer printout is one of a total of 12 computer printouts and 18 computer image files which were submitted together for the purposes of classification. The computer printout comprises an A4 sheet of white paper containing two black and white photographic images. One image depicts a boy wearing a pair of swimming togs, while the second image is of a naked boy. Both boys appear to be aged about 11 or 12 years.

The photographs have been taken at a beach, an environment where children might commonly be photographed naked. Both boys depicted appear comfortable and relaxed, and although they appear to have posed for the photographer, the poses are natural and uncontrived. While the images could be given a sexual reading, given the nudity or partial nudity of the subjects, there is nothing in the manner of presentation that would indicate that this is the intent. The dominant effect of the publication is that of a photographic record of the subjects.

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act), which deals with the right to freedom of expression, applies to this publication. The publication is a benign photographic record of its subject. The availability of the publication is unlikely to be injurious to the public good. There is therefore no reason to impose any limitation on the freedom of expression contained in the NZBR Act. The Classification Office classifies *DIA Exhibit #26* as unrestricted.

OFLC Ref: 9901754